

Notice of Allowability

Application No.

10/748,838

Examiner

Sameh H. Tawfik

Applicant(s)

SCHOENBERGER ET AL.

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/20/2006.
2. ☒ The allowed claim(s) is/are 5,9 and 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 03152006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.


Sameh H. Tawfik
Patent Examiner
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Continuation of Attachment(s) 9. Other: 2nd. sheet of the drawings with the changes.

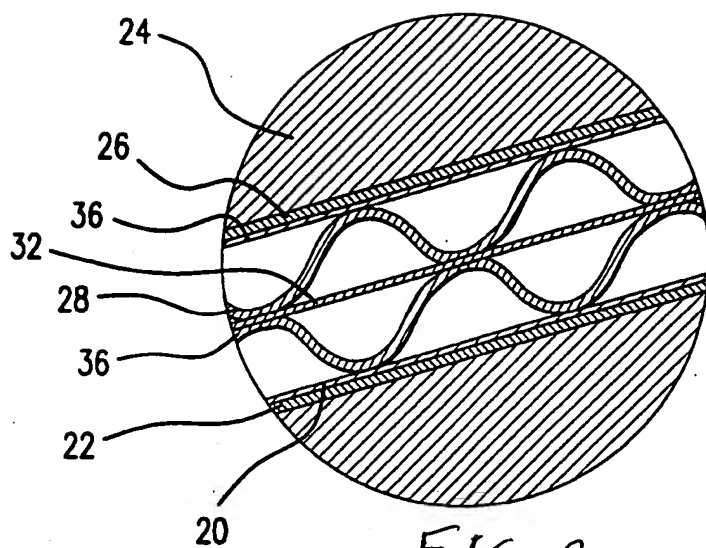


FIG. 2

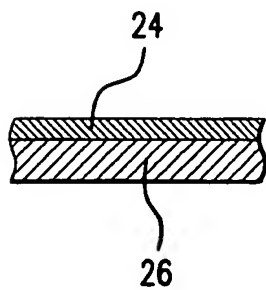


FIG. 2A

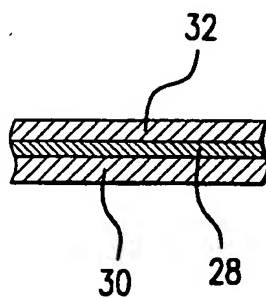


FIG. 2B

~~FIG. 2~~

EXAMINER'S AMENDMENT

Authorization for this examiner's amendment was given in a telephone interview with Mr. Paul (Reg. No. 43500) on 03/15/2006.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 9, line 1; delete "8" and instead insert --5--;

Specification page 2, line 24; insert --, 2A, and 2B are-- after "2";

Specification page 2, line 24; delete "is".

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: the lower two figures of Fig. 2 need to be labeled as "Fig. 2A" and "Fig. 2B"; the top figure should be labeled as "Fig. 2". See the attached drawing sheet. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or suggest the combination of the claimed method for making a container as amended and supported by the reasons provided in the remarks of the amendment filed on 12/19/2005.

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In particular, the prior art of record fails to disclose the claimed method for making a container comprising the steps of adhering by using a water resistant starch a corrugated "B" flute medium to a kraft liner side and a metallized polyester plastic film serving as a radiant barrier layer; adhering by using a water resistant starch a corrugated "C" flute medium to a kraft liner of a laminated sandwich of a metallized polyester plastic film serving as a radiant barrier layer laminated to and between two kraft liners; adhering by using a water resistant starch the "B" flute medium to the kraft liner on the other side of the laminated sandwich and simultaneously adhering by using a water resistant starch the "C" flute medium to a kraft liner side of a second lamination comprised of a kraft liner laminated to a metallized polyester plastic film serving as a radiant barrier layer; packing the container with gel packs to maintain a low temperature for packed contents, see Figs. 1 and 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

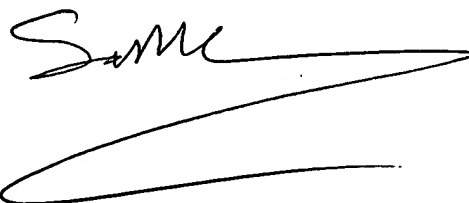
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik
Patent Examiner
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A handwritten signature in black ink, appearing to read 'Sameh', followed by a long, sweeping horizontal line that curves upwards at the end.

ST.